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SIPDIS

DEPT FOR INL AND EUR/WE
JUSTICE FOR OIA, AFMLS, AND NDDS
TREASURY FOR FINCEN
DEA FOR OILS AND OFFICE OF DIVERSION CONTROL

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SUBJECT: 2005 INCSR SUBMISSION FOR ITALY (PART I)

REF: STATE 209561

1. Summary. The Government of Italy (GOI) is firmly committed to the fight against drug trafficking domestically and internationally. The Berlusconi government continues its strong counternarcotics stand with capable and effective Italian law enforcement agencies. Italy is a consumer country and a major transit point for heroin coming from the Near East and southwest Asia through the Balkans, as well as, for cocaine originating from South America enroute to western/central Europe. Domestic and Italy-based foreign organized crime groups are heavily involved in international drug trafficking. GOI cooperation with U.S. law enforcement agencies continues to be exemplary. Italy is a party to the 1988 UN Drug Convention. End summary.

Status of Country

2. Italy is mainly a narcotics transit and consumption country. Law enforcement officials focus their efforts on heroin, cocaine, and hashish. Possession of small amounts of illegal drugs is an administrative, not a criminal, offense, but drug traffickers are subject to stringent penalties. Although Italy produces some precursor chemicals, they are well controlled in accordance with international norms, and not known to have been diverted to any significant extent. Law enforcement agencies with a counternarcotics mandate are highly professional.

Country Actions Against Drugs in 2005

3. Policy Initiatives. Italy continues to combat narcotics aggressively and effectively. The Berlusconi government has made combating drug abuse a high priority, although its focus is more on prevention, improved treatment, and rehabilitation than criminalization. A draft law submitted to Parliament in late 2003 would change this approach, eliminating the legal distinction between hard and soft drug use as well as decreasing the tolerance for possession of a "moderate quantity" of drugs, making possession and personal use of drugs illegal. At a minimum, drug users would be compelled to enter treatment or face administrative penalties such as suspension of driving licenses or passports. Above certain prescribed levels, violators would face criminal charges, including 6-20 years in prison, and fines ranging from \$22,000 to over \$220,000. The Senate Justice Committee began deliberations on the bill in late 2004 and continued as of late 2005.

4. At the multilateral level, Italy contributed \$12 million to the UN Office of Drug Control and Crime Prevention (UNODC), making it one of the largest contributors to the UNODC budget. Italy also supported U.S. key objectives at the UN commission on narcotic drugs. The Italian EU presidency in 2003 championed the need to get tougher on synthetic drugs, enhance counternarcotics assistance in the Balkans, and strengthen the role of the family in drug abuse prevention. In 2002, the GOI established a national department for drug control policy in the Office of the Prime Minister to coordinate anti-drug initiatives and implement the government's three-year, national drug control plan.

5. Accomplishments. Comparing data from January to October for 2004 and 2005, seizures of cocaine and hashish have increased, while those of heroin and marijuana have decreased. As of October 2005, the Italian police seized about 27,000 kilograms of narcotics, and apprehended 18,000 people. The major nationalities of those arrested were Moroccan, Tunisian, Albanian, Algerian, Nigerian, Spanish, Senegalese, and Colombian.

6. Jan-Oct. Seizure Breakdown (kilograms):

Heroin - 1,168.4
Cocaine - 3,714.4

Hashish - 19, 947.5
Marijuana - 2,024.1
MDMA - 284,310 (tablets)

17. In October 2005, the Italian police led an international drug bust involving five countries (Italy, Spain, Argentina, France, and the Netherlands) that netted about 1.5 tons of cocaine and over 120,000 Ecstasy tablets; at least 60 people were arrested. Also in October, the Italian Carabinieri (military police) busted an organized crime-led international drug trafficking network based in southern Italy. Over 40 individuals were arrested and about 100 others were put under investigation.

18. The fight against drugs is a major priority of the National Police, Carabinieri, and financial police counter narcotics units. The counter narcotics units of the three national police services are coordinated by the Central Directorate for Drug Control Prevention (DCSA). Working with the liaison offices of the U.S. and western European countries, DCSA has 19 drug liaison officers in 18 countries that focus on major traffickers and their organizations. Two additional drug liaison positions were created in Tehran, Iran and Tashkent, Uzbekistan. Investigations of international narcotics organizations often overlap with the investigations of Italy's traditional organized crime groups (e.g. the Sicilian Mafia, the Calabrian N'drangheta, the Naples-based Camorra and the Puglia-based Sacra Corona Unita). During a two-year investigation leading to a major drug bust in early 2005, Italian officials confirmed working links on drug trafficking between the Mafia, N'drangheta, and Camorra.

19. Additional priority trafficking groups are Albanian, Nigerian and other Balkan organized crime groups responsible for smuggling heroin into Italy, while Colombian, Dominican and other South American trafficking groups are involved in the importation of cocaine. Italian law enforcement officials employ the same narcotics investigation techniques used by other western countries: informants, extensive court-ordered wire-tapping of phones and e-mail accounts, undercover operations and controlled deliveries under certain circumstances. Adequate financial resources, money laundering laws, and asset seizure/forfeiture laws help insure the effectiveness of these efforts.

10. Corruption. Italian officials do not encourage or facilitate the illicit distribution of narcotics or the laundering of proceeds from illegal drug transactions. No senior official of the government of Italy engages in, encourages, or facilitates the illicit production or distribution of such drugs or substances, or the laundering of proceeds from illegal drug transactions. Corruption exists in Italy although it rarely rises to the national level and it does not compromise investigations. When a corrupt law enforcement officer is discovered, authorities take appropriate action. Laws against corruption come under the Criminal Code, apply to all public officials, and pertain to the receipt of money or other advantages in exchange for an official act or for delaying or not performing an official act. Penalties range from 6 months to 5 years in prison, depending on the charge.

11. Agreements and Treaties. Italy is a party to the 1961 UN Single Convention and its 1972 Protocol, as well as the 1971 UN Convention on Psychotropic Substances, and the 1988 UN Drug Convention. Italy has signed, but has not yet ratified, the UN Convention Against Transnational Organized Crime, which is still being examined by the Justice Ministry. Italy is a signatory to the 2003 UN Convention Against Corruption but has not yet ratified the treaty. Italy has bilateral extradition and mutual legal assistance treaties with the U.S., which will be affected by the new U.S.-EU mutual legal assistance and extradition treaties agreed to in 2003. Italy and the U.S. have concluded negotiations on the instruments to implement the U.S.-EU treaties. Translations of these instruments are being finalized and it is expected that they will be signed in early 2006.

12. Cultivation/Production. There is no known cultivation of narcotics plants in Italy, although small-scale marijuana production in remote areas does exist, but is mainly for domestic consumption. No heroin laboratories or processing sites have been discovered in Italy since 1992. However, opium poppy grows naturally in the southern part of Italy, including Sicily. It is not commercially viable due to the low alkaloid content. No MDMA-Ecstasy laboratories have been found in Italy.

13. Drug Flow/Transit. Italy is a consumer country and a major transit point for heroin coming from southwest Asia through the Balkans en route to western and central Europe. A large percentage of all heroin seized in Italy comes via Albania (i.e., produced elsewhere). Albanian heroin traffickers work with Italian criminal organizations as transporters and suppliers of drugs. Heroin is smuggled into Italy via automobiles, ferryboats and commercial cargo.

Albania is a source country for marijuana destined for Italy. During 2002-2004, Italian law enforcement agencies seized 15, 907 kg. of marijuana originating in Albania. Italian seizures of Albanian marijuana in 2004 (801 kg.) were significantly lower than 2003 levels (9,258 kg.).

14. Almost all cocaine found in Italy originates with Colombian and other South American criminal groups and is managed in Italy mainly by Calabrian-based organized crime groups. Multi-hundred kilograms shipments enter Italy via several seaports concealed among commercial cargo. Although the traditional Atlantic trafficking route is still in use, stepped up international scrutiny and cooperation are forcing traffickers to use alternative avenues. Italian officials have detected traffickers using transit ports in Nigeria, Togo, and Ghana where drugs are off-loaded to smaller fishing vessels that ultimately reach Spain and other Mediterranean approaches. Cocaine shipments off-loaded in Spain and the Netherlands are eventually transported to Italy and other European countries by means of vehicles. Smaller amounts of cocaine consisting of grams to multi-kilograms enter Italy via express parcels or airline couriers traveling from South America. They are usually concealed in luggage.

15. Ecstasy found in Italy primarily originates in the Netherlands and is usually smuggled into the country by means of couriers utilizing commercial airlines, trains or vehicles. Italy is also used as transit point for couriers smuggling Ecstasy destined for the United States. A method used by trafficking groups in the past has been to provide thousands of Ecstasy tablets to couriers in Amsterdam concealed in luggage. The couriers then travel by train or airline to Italy facilitated by the EU's open borders. Once in Italy, the couriers are provided an originating airline ticket from Italy to the U.S. disguising the couriers, recent travel from a source country, thereby minimizing scrutiny by law enforcement authorities in the U.S.

16. Hashish comes predominantly from Morocco through Spain, entering the Iberian Peninsula (and the rest of Europe) via sea access points using fast boats. Hashish also is smuggled into Italy on fishing and pleasure boats from Lebanon. As with cocaine, larger hashish shipments are smuggled into Spain and eventually transported to Italy by vehicle.

17. Domestic Programs/Demand Reduction. The GOI promotes drug prevention programs using abstinence messages and treatment aimed at the full rehabilitation of drug addicts. The Italian Ministry of Health funds 557 public health offices operated at the regional level while private non-profit NGOs operate another 1,430 social communities for drug rehabilitation. Of the 500,000 estimated drug addicts in Italy, 159,000 receive services at public agencies and approximately 15,000 are served by smaller private centers. Others either are not receiving treatment or arrange for treatment privately. The Berlusconi government continues to promote more responsible use of methadone at the public treatment facilities. For 2005, the Italian Government budgeted \$141 million for counter narcotics programs run by the health, education, and labor ministries. Seventy-five percent (75 percent) of this amount is dedicated to the different regions and the remaining twenty-five percent (25 percent) is for national programs.

----- U.S. Policy Initiatives and Programs -----

18. Bilateral Cooperation. The U.S. and Italy continue to enjoy exemplary counternarcotics cooperation. The DEA Administrator visited Italy in April 2004 to discuss counternarcotics issues with both Italian law enforcement and ministry level officials. During 2005, the DEA continued the Drug Sample Program with the GOI, which consists of the analysis of seized narcotics to determine purity, cutting agents and source countries. From January-November 2005, the DEA received approximately 140 samples of heroin, cocaine and Ecstasy. DEA recently expanded this program to the countries of Slovenia, Croatia and Albania. The sample collection from these countries and others in the Balkan region is essential in determining production methods and trafficking trends that ultimately impact Italy. The DEA independently conducted drug awareness programs at international schools in Rome and Milan. The DEA also provided training to Italian counterparts in the areas of asset forfeiture, undercover operations, and forensic chemistry.

19. The Road Ahead. The USG will continue to work closely with Italian officials to break up trafficking networks into and through Italy as well as enhance both countries' abilities to apply effective demand dampening policies. The Italian authorities are considering an invitation by the Government of Afghanistan's "Drug Czar" to assign a drug liaison officer in Kabul, Afghanistan. Italy also maintains a large liaison office in Albania made up of Carabinieri, Finance Police, and National Police to assist Albanians

interdicting narcotics originating there and destined for
either Italy or other parts of Europe.
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